

Cindy Baker Circo has been a small business owner for more than two decades; she has also been the neighborhood President of the Country Valley Homes Association, an eastern Kansas City suburb, and is a former Public Improvements Advisory Council member for the 5th District. As 5th District Councilwoman, Circo plans to continue to focus on addressing the basic needs of the community, including infrastructure issues that face so many of our neighborhoods. Circo is a lifelong resident of the Kansas City area and an active member of St. Mark's Church.

Cathy Jolly has served the 45th District in the Missouri House of Representatives since 2000, also ending her service in 2006 to run for City Council. While in our State's Capital, Jolly sponsored several pieces of legislation related to reducing crime and protecting our community through harsher sentences for criminal action. Prior to her State election, Jolly served as an Assistant Prosecutor in Jackson County, where she was instrumental as the coordinator of the Drug Abatement Response Team. Jolly is also an active member of the Women's Political Caucus and a recipient of their highest award, the "Torch Award." A resident of South Kansas City, Jolly earned a Bachelor of Science in Political Science from the University of Missouri-Columbia and a Juris Doctorate from the University of Missouri-Kansas City.

Madam Speaker, please join me today in recognizing this historical moment, the first majority women City Council in Kansas City, Missouri's history. Their past experiences and impeccable records are certainly indications of all the good that is to come. With this recognition, we join the citizens of Kansas City in paying tribute to these extraordinary women. On this historic occasion, I wish my best to our incoming Mayor, Mark Funkhouser, and all of the members of the Kansas City Council. I urge my colleagues of the 110th Congress to join me in congratulating the first majority women City Council since the establishment of Kansas City's modern government in 1925 as they set an example and precedent we can all be proud of and strive to replicate across our Nation.

#### INTRODUCTION OF THE FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

#### HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 1, 2007*

Ms. CORRINE BROWN of Florida. Madam Speaker, I want to thank Chairman OBERSTAR for joining me in introducing the Federal Railroad Safety Improvement Act of 2007. This legislation is long overdue and will authorize safety programs in both passenger and freight rail that will protect passengers, workers, and the communities that our passenger and freight rails serve. It will also improve the safety of our rail infrastructure which will allow for the exceptional growth expected in both passenger and freight rail.

This legislation will make major improvements in railroad safety by requiring the Department of Transportation to develop a long-term strategy for improving rail safety, authorizing funds for the purchase of track geometry

vehicles and for the development of an underground and tunnel safety facility.

The legislation strengthens hours-of-service by mandating consecutive hours of rest, eliminates limbo time, and requires fatigue management plans. It also strengthens whistleblower protections and imposes penalties for safety, hours-of-service, and accident reporting violations.

The legislation also mandates the implementation of Positive Train Controls, improves warning systems in non-signalized territory, establishes minimum training standards, and recommends ways to mitigate health hazards.

Congress last passed legislation to reauthorize the Federal Railroad Administration (FRA) in 1994. That authorization expired in 1998. Since that time, the railroad industry has changed dramatically. Economic growth and an increase in international trade have led to record traffic levels. At the same time, Amtrak and the commuter railroads—which often operate on freight rail lines—are moving more passengers, which means that there is a lot of pressure on our rail system. This has a significant impact on worker and public safety.

According to the FRA, train accidents have increased by 33 percent since 1994. Fatalities and injuries have also increased—from 12 fatalities and 262 injuries in 1994 to 33 fatalities and 734 injuries in 2005. Injuries hit an all-time high of 1,884 in 2002 due to the train accident in Minot, ND.

According to the FRA, human factors are responsible for nearly 40 percent of all train accidents, and a new study confirms that fatigue plays a role in approximately one out of four of those accidents.

Researchers analyzed the 30-day work schedules of locomotive crews preceding 1,400 train accidents and not surprisingly found a strong correlation between the crew's level of alertness and the likelihood that they would be involved in an accident. NTSB investigators have reached similar conclusions.

The hours of service law, which was originally enacted in 1907 and substantially amended in 1969, is outdated. It deals only with acute fatigue, not cumulative fatigue. Since the rail industry is markedly different today compared to 40 or 100 years ago, there are some significant shortcomings in the law.

For example, the law does not properly address "limbo time," which is the time when a crew's working assignment is finished and they are waiting for transportation back to their homes. During limbo time, crewmembers are required to stay awake, alert, and able to respond to any situation, which means that crews can be on the job for as long as 15 or 20 hours at a time. Although the NTSB has repeatedly asked the FRA to make improvements to hours-of-service and address fatigue, the FRA seemingly does not have the regulatory authority to do so.

The Railroads, Pipelines, and Hazardous Materials Subcommittee has held numerous hearings on railroad safety, fatigue, and human factor accidents and has heard testimony from all the stakeholders and policy makers in the passenger and freight rail industry. I believe this legislation will help reduce accidents, improve rail safety, and improve the work environment for employees which will allow the passenger and freight rail industry to safely handle the future growth projected for both modes of transportation.

I encourage all of my colleagues to support this legislation and I urge its swift passage so

that we can begin to implement these important safety measures immediately.

IN RECOGNITION OF DANA J. KELLY FOR OVER FORTY YEARS OF DISTINGUISHED SERVICE TO LOCAL 537, PIPEFITTERS ASSOCIATION OF BOSTON, MASSACHUSETTS

#### HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 1, 2007*

Mr. LYNCH. Madam Speaker, I rise today in honor of my longtime friend and fellow brother of the Building Trades, Dana J. Kelly. Dana is a remarkable labor leader with a long and illustrious career in Local 537 Pipefitters Association of Boston. Throughout his tenure, Dan has dedicated his efforts to improving the lives of working men and women throughout Massachusetts.

Madam Speaker, Dana joined Local 537 in March of 1965 while attending Charlestown High School in Boston, Massachusetts. Dana's attention to detail and craftsmanship led him to become a welding instructor for Local 537. As a result of his dedication to this craft, Dana attended and graduated from the United Association's 5 year Instructor Training Program at Purdue University.

After 18 years of dedicated work and leadership, Dana was elected in both 1983 and 1985 to serve on the Executive Board to Local 537. In 1985 he was appointed Organizer of Local 537, a position he held for the next 13 years. Due to his unique leadership abilities, Dana as designated Chairman of the New England Pipe Trades Action Committee which coordinated organizing efforts throughout New England. In 1998, Dana was elected Assistant Business Manager of Local 537 and held this position for 2 terms. In 2004, he was elected Business Manager and Financial Secretary Treasurer.

Despite his various accomplishments, as his friend, I can honestly say that the title that Dana s always been most proud of and which he cherishes most, is that of husband and father. Dana has had the tremendous good fortune and distinct honor to be married to his wife Linda. Together, Linda and Dana have three wonderful children and four beautiful grandchildren.

Speaker, it is my distinct honor to join Dana's family, friends and brothers and sisters of labor to thank him for over 40 years of remarkable service to the American Labor Movement. I hope my colleagues will join me in celebrating Dana's distinguished career and wishing him good health and success in all his future endeavors.

TENTH ANNIVERSARY OF THE INSTITUTE OF ENVIRONMENTAL AND HUMAN HEALTH

#### HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 1, 2007*

Mr. NEUGEBAUER. Madam Speaker, I congratulate The Institute of Environmental and

Human Health on reaching its tenth anniversary. TIEHH was established in 1997 with a mission to stimulate and develop environmental and health sciences research and education at Texas Tech University and the Texas Tech Health Sciences Center. TIEHH focuses on the integration of environmental impact assessment of toxic chemicals with human health consequences, framed in the context of science-based risk assessment to support sound environmental policy and law. Work at TIEHH has resulted in applications for homeland security and defense, including a new fabric that can protect our military and civilians from effects of chemical and biological weapons.

TIEHH first opened as the "anchor tenant" at the then-closing Reese Air Force Base, now known as Reese Technology Center, and helped make the redevelopment of Reese the most successful BRAC closure of any military base in the United States. TIEHH started with a staff of 45, comprised of faculty, staff and graduate students. TIEHH now has 200 on its daily payroll and has generated close to \$50 million in revenue, while the Institute's ripple effect on the local economy is nearly \$200 million.

Through the past 10 years, TIEHH has developed a program of national and international stature for Texas Tech and Lubbock, being described by external peer-reviews as 'world-class' and with its academic program being called "the best in the country." TIEHH draws not only students from Texas but also undergraduate and graduate students from all over the United States and many foreign countries to Texas Tech. In its 10 short years, TIEHH has become one of the top doctoral producing programs at Tech.

I have worked hand-in-hand with TIEHH to secure federal funding that supports research to improve the resources available to protect our troops abroad and citizens at home from chemical and biological threats. When it comes to federally funded research, results matter, and TIEHH is quickly establishing a track record of proven results that strengthen our national security. In the next 10 years and beyond, TIEHH will continue to be a research leader in the environmental and human health field. I am proud to join the citizens of Lubbock in extending my appreciation for all the hard work and accomplishments of those at The Institute of Environmental and Human Health.

HONORING PRIVATE DAVID NEIL  
SIMMONS OF KOKOMO, INDIANA

**HON. JOE DONNELLY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 1, 2007*

Mr. DONNELLY. Madam Speaker, I rise today to honor the sacrifice of Private David Neil Simmons of Kokomo, Indiana, who was killed in an ambush on April 8, 2007, while serving his Nation in Baghdad, Iraq. Neil risked everything in service to America, and for that we are eternally grateful. —

Neil was the kind of kid whom everyone loved. With his big smile and enthusiasm, he made life more enjoyable for everyone around him. As someone who deeply loved his family and knew what it meant to be a great friend, he also made life better for those around him.

Neil was also a grateful person, returning to his high school to visit friends and thank teachers and mentors for their impact on his life. During one of these visits, just a couple weeks before he was set to deploy to Iraq, he ran into Janet Lovelace, a secretary at Northwestern High School. When Janet gave Neil a hug and thanked him for his service, he became teary-eyed. Today, on behalf of this entire nation, I would also like us to stop and give thanks to Neil for his service.

Upon hearing about his son's death, David Simmons said, "Freedom is very expensive. You don't know how much until something like this happens. My heart goes out to all the families that have to go through this." In the midst of so much sorrow, to remember other families is truly remarkable.

I have been privileged to speak several times with Neil's mother, Teri Tenbrook, over the past few weeks. Her courage and resolve in so tragic a time are impressive. The simple truth is that the true price of war is paid by soldiers and their families. Today I honor Neil Simmons, and I honor his family.

Neil's ultimate sacrifice puts him in the solemn and revered company of patriots who have given their lives in service to their country. My humble thanks to Neil and to his family. His name will live as long as this Nation lives.

May God grant peace to those who mourn and strength to those who continue to fight. And may God be with all of us, as I know he is with Neil.

#### THE FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 1, 2007*

Mr. OBERSTAR. Madam Speaker, today I have introduced a bill to reauthorize the Federal Railroad Administration, FRA, and improve the safety of our Nation's railroads.

Congress last reauthorized the FRA in 1994; that authorization expired in 1998. Since that time, the Committee on Transportation and Infrastructure has held 13 hearings on rail safety. In the first four months of the 110th Congress alone, we have held 4 hearings on rail safety, including 1 field hearing in San Antonio, Texas. At these hearings, we received testimony from the Federal Administration, FRA, the National Transportation Safety Board, NTSB, the Department of Transportation's Inspector General, the Government Accountability Office, GAO, Members of Congress and other elected officials, the railroads, rail labor, and numerous safety organizations and experts. This bill is the product of what we have learned through these hearings.

According to the FRA, the total number of train accidents, including collisions and derailments, increased from 2,504 in 1994 to 3,325 in 2005. In 2006, the number of train accidents decreased to 2,835.

Although I am encouraged by improvements in the 2006 rail safety statistics, I believe we still have a long way to go. Serious accidents resulting in fatalities, injuries, and environmental damages continue to occur. The Department of Transportation predicts that rail traffic will more than double over the next 20

years. That increase, coupled with the fact that there are far fewer workers having to meet more demands on the railways than ever before, will only exacerbate the situation.

In 1980, 459,000 rail workers were responsible for moving 919 billion railroad ton-miles of freight, or 2,002,787 ton-miles per employee. By 2005, 182,000 workers moved 1,760 billion ton-miles of freight, or 9,670,329 ton-miles per employee. Over the last 25 years, overall rail productivity has risen 168 percent while the workforce has decreased by 40 percent. That has a significant impact on safety, in particular worker fatigue.

According to the FRA, about 40 percent of all train accidents are the result of human factors; 1 in 4 of those accidents result from fatigue. The FRA has launched a number of initiatives focused on reducing accidents caused by fatigue and other human factors. I appreciate the FRA's hard work in this area, but the FRA can only do so much when it comes to fatigue. The FRA is the only agency within the Department of Transportation, DOT, that does not have the regulatory authority to address hours-of-service. Hours-of-service for railroad employees is set forth in statute.

According to the National Transportation Safety Board, "the current railroad hours-of-service laws permit, and many railroad carriers require, the most burdensome fatigue-inducing work schedule of any Federally-regulated transportation mode in this country." A comparison of the modes is revealing. A commercial airline pilot can work up to 100 hours per month; shipboard personnel, at sea, can work up to 240 hours per month; a truck driver can be on duty up to 260 hours per month; and train crews can operate a train up to 432 hours per month. That equates to more than 14 hours a day for each of those 30 days.

Despite widespread agreement that the hours-of-service law is antiquated and in need of updating, it has been almost 40 years since substantial changes to the law have been made. In previous Congresses, I introduced legislation to strengthen hours-of-service. The railroads fought against it, stating that hours of service should be dealt with at the collective bargaining table because I believe that the safety of railroad workers and the safety of the general public, which all too often are the victims in these train accidents, should not be relegated to a negotiation between management and labor. I am again introducing legislation that strengthens hours-of-service and reduces rail worker fatigue.

My bill will: provide all train crews and signal personnel with a minimum of 10 hours of rest a day and at least 24 consecutive hours off duty in a seven consecutive day work period; prevent the railroads from disturbing their workers during rest time, keeping them from obtaining their full 10 hours of rest; limit the number of days signal personnel can exceed their hours-of-service during emergencies, consistent with dispatcher limits of not more than three days in a seven consecutive day work period; ensure that signal personnel cannot be forced to exceed their hours-of-service to conduct routine inspections, repairs, and maintenance of signal systems; eliminate so called "limbo time." Limbo time is a term used to describe the period of time when a train operating crew's hours-of-service have expired, but the crew is awaiting transportation back to their point of final release; meaning, the off